

**IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**JULIE DELANEY and
WILLIAM P. DELANEY,**

Plaintiffs,

v.

ELI LILLY AND COMPANY,

Defendant.

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**Civil Action No.: 1:05-cv-10241-MLW
Next Event:**

JOINT STATUS REPORT

Pursuant to this Court's November 16, 2005, Scheduling Order, the parties having conferred up to and including February 10, 2006, hereby submit the following status report as to the prospects for settlement:

1. Prospects for Settlement:

Pursuant to the Court's Notice of Scheduling Conference and Local Rule 16.1, the plaintiffs on April 8, 2005, submitted an initial demand to counsel for the Defendant. On February 7, 2006, Plaintiffs submitted a revised demand to counsel for Defendant. On February 10, 2006, Lilly's counsel conferred with Plaintiffs' counsel regarding her most recent settlement demand. It is Lilly's position that the facts on the record at the close of fact and expert discovery indicate that Lilly may have grounds for a summary judgment motion. Lilly and plaintiffs are prepared to participate in mediation in accordance with the Court's Scheduling Order. Lilly is not in a position to meet Plaintiffs' most recent settlement demand at this time.

Respectfully submitted,

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Dated: February 10, 2006